

UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON 25, D. C.

May 22, 1953

TO HEADS OF DEPARTMENTS AND INDEPENDENT ESTABLISHMENTS:

This is an advance copy of Federal Personnel Manual Chapter I2 containing instructions for the implementation of Executive Order 10450, which prescribes security requirements for Government employment.

The Chapter is being printed and will be distributed as promptly as possible.

C. L. Edwards

C. L. Edwards
Executive Director

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UNITED STATES CIVIL SERVICE COMMISSION

FEDERAL PERSONNEL MANUAL

TRANSMITTAL SHEET NO. 428

May 22, 1953

SECURITY INVESTIGATIONS FOR GOVERNMENT EMPLOYMENT

This installment of the Manual replaces Chapter 12, Federal Employees Loyalty Program and Background Investigations for Security Purposes.

The entire chapter has been revised to provide instructions and procedures for agencies to follow regarding investigations under Executive Order 10450, Security Requirements for Government Employment.

Particular attention is directed to the fact that agencies will initiate pre-appointment national agency checks or full field investigations for sensitive positions with the Investigations Division, Attention: Security Investigations Section, Washington 25, D. C. For nonsensitive positions national agency checks and written inquiries will be initiated by agencies with the appropriate regional office of the Commission.

The revision is effective as of May 28, 1953.

It is recognized that all the revised standard forms required in this revised chapter may not be available on the effective date of the order. Until these forms become available agencies will use present editions of Standard Form 79 and Standard Form 85. Until Standard Form ____* (referred to in Table IV, A) becomes available agencies should use a letter to report to the Commission the information required under Table IV, A., 3 and 4 of the attached instructions. Until Standard Form ____* (Security Investigations Data for Sensitive Positions) required in Table II of the attached instructions becomes available, agencies in requesting full field investigation for a sensitive position can submit the present edition of Standard Form 85 with the most recent application and a fingerprint chart.

Inquiries about this revision from agencies in the Metropolitan area in Washington, D. C., may be made by telephone, Code 171, Extension 3111.

Inquiries from outside the Metropolitan area of Washington, D. C., may be made to the appropriate regional office of the Commission.

Very respectfully,

C. L. Edwards

C. L. Edwards
Executive Director

* Form number to be assigned by the Bureau of Budget.

F. P. M. TRANSMITTAL SHEET NO. 428 (May 22, 1953)

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CHAPTER I-2--INVESTIGATIONS

Security Requirements for Government Employment

LEGAL BASIS

Executive Order 10450 of April 27, 1953, provides security requirements for Government employment and includes basic policies, instructions and standards to be followed.

DEFINITIONS

The terms listed below have the meanings indicated when used in this chapter:

Appointee.--A person who enters, or has entered, on duty on or after May 28, 1953.

National agency check.--A check of the following files:

Fingerprint files, Bureau of Identification, Federal Bureau of Investigation.

Investigative files, Federal Bureau of Investigation.

Investigative files, U. S. Civil Service Commission (including the Security-Investigations Index).

House Committee on Un-American Activities.

In addition, when the person has had civilian employment, or has had service in a branch of the Armed Forces, the appropriate file listed below is checked:

Office of Naval Intelligence, Department of the Navy.

Central Records Facility, Department of the Army.

Office of Special Investigations, Department of the Air Force.

Coast Guard Intelligence, Department of the Treasury.

Written inquiries.--Requests in writing (forms) for pertinent information from law enforcement agencies, former employers and supervisors, references and schools.

Full field investigation.--An investigation conducted personally to obtain full facts regarding the background and activities of the individual upon which a determination can be made as to whether his employment by the Government is consistent with the interest of national security.

Appropriate regional office of the Commission.--The regional office of the Commission having jurisdiction over the area in which the appointing officer is located. The Fourth United States Civil Service Region, Washington 25, D. C., is the "appropriate regional office of the Commission" for appointments in the departmental service in the Washington metropolitan area.

GENERAL PROVISIONS

Executive Order 10450 requires that investigations be conducted of appointees in both sensitive and nonsensitive positions, and of employees in sensitive positions if they have not previously been the subject of a full field investigation. For appointees, the type of investigation depends upon whether the position is sensitive or nonsensitive.

In cases of appointees, departments and agencies will initiate the type of investigation required, subject to the following provisions:

- (1) No reinvestigation is required for appointments of employees of another agency, or for reappointments when there has been no break in service in excess of one year since the last employment in the government, unless the new position is sensitive and a full field investigation has not been conducted in connection with the previous employment. However, in any case the agency may, at its discretion, initiate additional investigation, when it is considered appropriate in the interests of the national security.

In addition, in any sensitive case in which a full field investigation has been made in connection with previous employment, when the break in service has not been in excess of one year the agency will determine whether:

- (a) No further investigative action is necessary, or
- (b) A national agency check should be made, or
- (c) Further field investigation is necessary.

If a national agency check is necessary the procedures in Table III should be followed. If further field investigation is necessary the procedures in Table II should be followed.

- (2) The Commission will approve requests from heads of departments and agencies that they be relieved of the requirement for submitting cases for investigation under Executive Order 10450 when the positions involved are not sensitive, and the appointments are (a) of aliens employed outside the United States, or (b) are specifically limited to three months or less, in cases of per diem, temporary or seasonal employees. When these requests are approved the department or agency will conduct such security checks or investigations in these cases as it determines to be necessary to meet the requirements of national security. Similar requests relating to other groups of employees will be considered as they are received.

SECURITY INVESTIGATIONS FOR PERSONS APPOINTED
TO POSITIONS NOT DESIGNATED AS SENSITIVE

Whenever an appointee enters on duty in a position not designated as sensitive, except as provided under "GENERAL PROVISIONS" above, the agency will initiate an investigation as required by section 3 (a) of the order. This investigation will include not less than the following written inquiries as defined on page I-2-1. National agency checks and written inquiries will be made by the

Commission of persons entering nonsensitive competitive positions. In addition, the Commission will make a national agency check and written inquiries of persons entering nonsensitive positions outside the competitive service when:

- (a) An employing agency does not have investigative facilities or
- (b) An employing agency with investigative facilities has entered an agreement with the Commission under which the Commission will make such investigations.

Procedural instructions to agencies for initiating a national agency check and written inquiries to be conducted by the Commission are given in Table I on page I-2-5.

If the national agency check and written inquiries develop information of the type referred to under section 8 (a) (1) of the order, in the case of an appointee in a nonsensitive position either in the competitive service, or outside the competitive service in an agency which does not have investigative facilities, the Commission will make such further investigation as shall be sufficient to enable the head of the department or agency concerned to determine whether retention of such person is clearly consistent with the interests of the national security. Ordinarily this will not be the equivalent of a full field investigation but will be limited to covering by personal investigation the adverse information developed in the national agency check and written inquiries.

The Commission will furnish a report of the national agency check, the replies to written inquiries, and a report of personal investigations if conducted, to the agency Personnel Security Officer designated in the case papers to receive the report. (The Commission will dispatch written inquiries to the sources named in section 3 (a) of the order. Whatever replies are received from these sources will be included in the report furnished the agency without further attempt on the part of the Commission to obtain information from those sources which failed to reply.)

When by agreement the Commission conducts the national agency check and written inquiries in other than competitive cases for an agency having investigative facilities, a report of the national agency check and the replies to written inquiries will be furnished to the agency for any further investigation required to resolve adverse or questionable information of the type referred to under section 8 (a) (1) of the order.

If the national agency check and written inquiries develop information of the type referred to in section 8 (d) of the order, the Commission will refer the case to the Federal Bureau of Investigation for a full field investigation. A report of the full field investigation will be furnished to the employing department or agency.

SECURITY INVESTIGATIONS FOR SENSITIVE POSITIONS

The Commission will make a full field investigation of applicants for or employees in competitive positions designated as sensitive, except in cases in which the head of a department or agency assumes that responsibility pursuant to law, or by agreement with the Commission.

The investigation of applicants for or employees in sensitive positions other than in the competitive service will be made by the employing department or agency if it has investigative facilities. Departments and agencies without investigative facilities will have these investigations made by the Commission.

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Full field investigations conducted by the Commission will be on a reimbursable basis. The full investigative report will be furnished the department or agency concerned.

If the investigation develops information of the type referred to in section 8 (d) of the order, the Commission will refer the case to the Federal Bureau of Investigation for a full field investigation. A report of this investigation will be furnished the employing department or agency.

Procedural instructions to agencies for initiating these investigations to be conducted by the Commission are given in Table II, page I-2-5.

Agencies desiring a national agency check before initiating a full field investigation in cases of persons being actively considered for emergency appointment or assignment to a sensitive position may obtain this check by following the procedures in Table III, page I-2-6. The results of this check will be furnished the agency.

SECURITY-INVESTIGATIONS INDEX

Section 9 (a) of Executive Order 10450 requires the Commission to establish and maintain a security-investigations index covering all persons for whom security investigations have been conducted by any department or agency of the Government under this order. This index shall contain the name of each person investigated, adequate identifying information concerning each such person, and a reference to each department and agency which has conducted an investigation concerning the person involved, or has suspended or terminated the employment of such person under the authority granted to heads of departments and agencies by or in accordance with the said act of August 26, 1950.

Section 9 (b) of the order directs departments and agencies to furnish promptly to the Civil Service Commission information appropriate for the establishment and maintenance of the security-investigations index. Accordingly, departments and agencies should follow the procedural instructions given in Table IV, page I-2-6.

The information furnished by departments and agencies in accordance with the instructions in Table IV will also be used by the Commission in carrying out its responsibilities under section 14 of the order.

FULL FIELD INVESTIGATIONS REQUIRED UNDER SPECIAL LEGISLATION

Section 10 of the order provides that any investigation or any determination as to security which may be required by law is not, in any way, eliminated or modified by the order. Accordingly, the Commission will continue to make investigations under Public Law 920, 81st Congress, approved January 12, 1951 (Federal Civil Defense Act) and under Public Law 298, 82d Congress, approved April 5, 1952. These investigations will meet the requirements of full field investigations for sensitive positions referred to in section 3 (b) of the order. Departments and agencies requesting investigations required under these two public laws will continue to follow the special arrangements with the Commission now in effect.

PROCEDURAL INSTRUCTIONS

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- I. Initiating a national agency check and written inquiries for a nonsensitive position.
1. Prepare in quadruplicate Standard Form 85 (Security Investigations Data for Non-Sensitive Positions).
 2. Prepare Standard Form 87 (Fingerprint Chart).
 3. Submit to the appropriate regional office of the Commission within three days after the appointee enters on duty, the following:
 - a. Original and two copies of Standard Form 85. (File the fourth copy).
 - b. Standard Form 87.
 - c. The original application form on which the appointment was made. 1/ (Include investigative information about the person received on voucher forms or otherwise.)
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- II. Initiating a full field investigation by the Commission for sensitive positions.
1. Prepare in quadruplicate Standard Form ____* (Security Investigations Data for Sensitive Positions.)
 2. Prepare Standard Form 87 (Fingerprint Chart).
 3. Submit to the United States Civil Service Commission, Investigations Division, Attention, Security Investigations Section, Washington 25, D. C., the following: 2/
 - a. Original and two copies of Standard Form ____.* (File the fourth copy.)
 - b. Standard Form 87.
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1/ The original application will be returned to the agency for inclusion in the appointee's Official Personnel Folder. Any investigative file received from the agency also will be returned to the agency. Agencies may, at their discretion, remove and retain in their files any examination papers attached to applications since they are not required in conducting investigations.

2/ If a preappointment national agency check was previously obtained under the instructions on Table III, and not more than three months have elapsed since the report was furnished the agency, it will not be necessary to prepare new Standard Form ____* and Standard Forms 87 (if a fingerprint check was included in the report of national agency check furnished by the Commission). In these cases the agency will return the report furnished by the Commission with the request for a full field investigation. If a full field investigation is requested after three months from the date of the Commission's report of the national agency check, it will be necessary to submit new forms in accordance with 3 above.

* Form number to be assigned by the Bureau of Budget.

III. Initiating a preappointment national agency check for persons being actively considered for emergency appointment or assignment to a sensitive position.

1. Prepare forms in accordance with the instructions under 1 and 2 in Table II, above.
2. Submit the forms in accordance with instructions under 3 of Table II together with a statement that this is a request for preappointment national agency check in the case of a person being considered for emergency appointment or assignment to a sensitive position. 1/

IV. Procedures for Establishing and Maintaining the Security-Investigations Index.

A. Agencies' procedures:

1. Departments and agencies which conduct investigations (including national agency checks and written inquiries) under Executive Order 10450, for each such investigation will:
 - a. Prepare and submit, in triplicate, Standard Form 79 (Notice of Security Investigation) to the Investigations Division, United States Civil Service Commission, Washington 25, D. C., on the same day the investigation is initiated.
2. Immediately upon completing the security evaluation of a case in which a report of investigation was received from the Commission (including reports of national agency checks and written inquiries in nonsensitive cases), index cards (CSC Form 3746B) received with the file will be completed in duplicate and forwarded to the Investigations Division, U. S. Civil Service Commission, Washington 25, D. C. If a suspension action was taken, a subsequent notification by letter or form will be sent to the same address showing whether the final action was to restore to duty or to terminate the employee.
3. In a case in which an agency conducts the investigation required by Executive Order 10450, when a security evaluation is made Forms _____* will be completed in duplicate and both copies submitted to the Investigations Division, U. S. Civil Service Commission, Washington 25, D. C., showing the action taken in the case. If a suspension action was taken, a subsequent notification in duplicate on Form _____* will be submitted showing whether the final action was to restore to duty or to terminate the employee.

1/ Upon completion of the preappointment national agency check the Commission will furnish the results to requesting agency.

* Form number to be assigned by the Bureau of Budget.

IV. Procedures for Establishing and Maintaining the Security-Investigations Index--Continued

A. Agencies' procedures--Continued

4. The procedures under "3" immediately above will be followed in the cases of any employees who have been suspended or terminated prior to the effective date of Executive Order 10450, under the authority of the act of August 26, 1950, if notifications of such actions have not been furnished the Commission on Standard Forms 50, or by other means.

B. Commission procedures:

1. The Commission will:

- a. Place records of all security investigations it conducts, including national agency checks and written inquiries, in the security-investigations index.
 - b. Search Standard Form 79, received from departments and agencies, against the investigative files of the Commission (including the Security-Investigations Index) and:
 - (1) File one copy in the security-investigations index;
 - (2) Report the results of the search, including the location of any report of previous investigation, to the appropriate department or agency on one copy of the form;
 - (3) File the other copy of the form in a control file established in the Commission for use in carrying out the provisions of section 14 of the order.
 - c. Search CSC Forms 3746B and Standard Forms ____* received from departments and agencies reporting agency actions on security investigations against the security-investigations index and:
 - (1) File one copy in this security-investigations index and
 - (2) File one copy in the control file established in the Commission for the purpose of carrying out the provisions of section 14 of the order.
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* Form number to be assigned by the Bureau of Budget.